

MINUTES

OF THE

NATURAL RESOURCE COMMISSION

MEETING

DECEMBER 9, 2004

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Natural Resource Commission was called to order by Chairperson Francisco at 8:35 a.m. on Thursday, December 9, 2004 at Des Moines, Iowa.

MEMBERS PRESENT

Joan Schneider
Janice Marcantonio
Carol Kramer
Paul Christiansen
Randy Duncan
William Sullivan
Richard Kim Francisco

APPROVE AGENDA

The following corrections were made to the agenda: add Land Acquisition item 5d; correct Item 7 Boat Donation and delete Timber Sales Item 8c.

Motion was made by Commissioner Sullivan to approve the November 10, 2004 NRC agenda as amended. Seconded by Commissioner Kramer. Motion carried unanimously.

AGENDA APPROVED AS AMENDED

APPROVE MINUTES

Motion was made by Commissioner Duncan to approve the minutes of the November 10, 2004 NRC meeting. Seconded by Commissioner Schneider.

Director Vonk related that at the last meeting, during the discussion and vote regarding the contested case involving David Vroman, incorrect information was given the commission regarding the number of votes required for passage of the motion to suspend Mr. Vroman's license for one year only. He reviewed that two thirds of the members must be present for a quorum, but that a vote by the majority of those present is needed to pass an item. The vote on that motion was 4 to 2 so actually did pass even though it was announced that it did not pass.

Director Vonk said he has apologized to Mr. Vroman for this error and noted that Mr. Vroman and the department both have 30 days to appeal the decision to District Court.

Motion was made by Commissioner Duncan to retract his motion to table the item until the December meeting. Seconded by Commissioner Christiansen.

Following the motion to suspend Mr. Vroman's license for one year only, the wording on page 44 of the minutes should be changed to read "The motion passed on a 4-2 vote."

Motion to approve the November minutes, as amended, carried unanimously.

MINUTES APPROVED AS AMENDED

DIRECTOR'S REMARKS

Director Vonk distributed a copy of the Summary of DNR Offers to Buying Teams for the Environmental Protection and Natural Resources Commissions. He relayed that the department developed 33 offers to the buying teams. The buying teams make recommendations to the Governor's Office for their budget. He said the department requested an increase in funding over previous years but it is unknown what the legislature or the Governor's Office will support. Director Vonk said the new budget process has helped the DNR identify complex interrelationships among environmental protection, recreation, wildlife and fish conservation, public and private land management, and benefits. It refocuses the DNR on working with citizens to achieve its natural resource mission and producing tangible results people can understand. It has also helped to confirm DNR's role in economic development, health issues, community and education issues, as well as natural resource and environmental issues.

Director Vonk reviewed some conservation and recreation legislative initiatives for the coming legislative session. Proposed legislation included amending the number and cost of nonresident hunting licenses, amending authority over white-tail deer hunting preserves from the Department of Agriculture and Land Management to DNR, and amending Code sections to "clean up" administrative procedures and bring the department into line with other states and federal agencies concerning safety requirements.

CONSTRUCTION PROJECTS

Linda Hanson, Administrator, Management Services Division, presented the following item.

Commissioners were advised that they could view the Capital Plan for FY05 at future meetings for comparison with future construction projects to the Capital Plan.

Bids were opened November 17, 2004 for the following projects:

Lake Icaria State Park, Adams Co. - Riprap Repair and Mounds

This project consists of deepening the shallow shoreline, adding riprap to new and existing shoreline to stabilize erosion, and constructing 13 earthen core fish mounds and incidental work as required by the Plans and the DNR Construction Inspector. Shoreline work is budgeted \$221,634 from Marine Fuel Tax Fund and fish mound work of \$69,280 total is budgeted \$51,960 from Federal Aid to Sport Fish Restoration (75%) and matching \$17,320 from state Fish Habitat Trust Fund (25%). DNR estimate is \$360,000. Sixteen sets of plans were requested. Seven bids were received.

Murphy Heavy Contracting Corp.	Anita, IA	\$290,914.00
L.A. Carlson Contracting, Inc.	Merrill, IA	\$298,686.55
Jensen Construction Co.	Des Moines, IA	\$361,415.00
Richards Construction Co., Inc.	Sac City, IA	\$374,796.00
Peterson Contractors, Inc.	Reinbeck, IA	\$388,463.30
Cole Construction Co., Inc.	Keosauqua, IA	\$426,406.00
United Contractors, Inc.	Johnston, IA	\$494,952.50

Staff recommends award of contract to Murphy Heavy Contracting Corp., low bidder.

Motion was made by Commissioner Kramer to approve the low bid of Murphy Heavy Contracting Corp, Anita, Iowa, in the amount of \$290,914.00 for riprap repair and fish mound construction at Lake Icaria State Park in Adams County. Seconded by Commissioner Marcantonio. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Copeland Bend WMA (Wurtele Tract), Fremont Co. - Wetland Construction

This project consists of the construction of several wetland pools, nesting islands and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in Army Corp of Engineers Condition 5 Riverton Funds. DNR estimate is \$102,600. Eleven sets of plans were requested. Three bids were received.

Negus-Sons, Inc.	Omaha, NE	\$ 95,097.92
Peterson Contractors, Inc.	Reinbeck, IA	\$171,521.60
Commercial Contractors Equipment, Inc	Lincoln, NE	\$197,995.20

Staff recommends award of contract to Negus-Sons, Inc., low bidder.

Motion was made by Commissioner Sullivan to approve the low bid of Negus-Sons, Inc. of Omaha, NE in the amount of \$95,097.92 for wetland construction at Copeland Bend WMA in Fremont County. Seconded by Commissioner Kramer. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Hawkeye WMA, Johnson Co. - Subimpoundment Construction

This project consists of the construction of a compacted earthfill dike system including several flow control structures, two single lane concrete boat ramps, a granular surfaced parking area, and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in Army Corp. of Engineers Condition 5 Coralville Funds. DNR estimate for base bid is \$598,000 for west and center dike; Alternate 1 is \$399,000 for east dike and Alternate 2 is \$69,300 for access, ramps and parking areas. Twenty-eight sets of plans were requested. Six bids were received.

Cole Construction Co., Inc.	Keosauqua, IA	
Base Bid: \$ 756,756.00	Alt 1: \$ 417,612.50	Alt 2: \$62,565.24
DeLong-Keith Construction, Inc.	Washington, IA	
Base Bid: \$912,597.00	Alt 1: \$484,290.00	Alt 2: \$69,187.40
Steger-Heiderscheit Construction Corp.	Dyersville, IA	
Base Bid: \$976,325.00	Alt 1: \$545,161.00	Alt 2: \$73,029.86
General Contractors, Inc. of the Quad Cities	Bettendorf, IA	
Base Bid: \$995,930.00	Alt 1: \$525,100.00	Alt 2: \$73,680.00
Reilly Construction Co., Inc.	Ossian, IA	
Base Bid: \$1,121,600.00	Alt 1: \$631,980.00	Alt 2: \$69,624.00
Peterson Contractors, Inc.	Reinbeck, IA	
Base Bid: \$1,594,041.00	Alt 1: \$934,965.00	Alt 2: \$91,913.00

Staff recommends rejecting all bids and re-let a revised project in early 2005.

Motion was made by Commissioner Schneider to reject all bids. Seconded by Commission Duncan.

Commissioner Sullivan asked what changes would be made by doing the job in phases. Basil Nimry explained that the size of the structure could be modified, the number of boat ramps reduced, delay the parking lot or other similar changes. He said the project will be re-evaluated and modifications will need to be made to make it more cost effective for the department.

Commissioner Sullivan stated that there were several bidders and their bids are out on the internet so rebidding seems a little unfair to those bidders.

Linda Hanson reiterated that the funds are just not available for that project at those amounts.

Motion to reject all bids carried with Commissioner Sullivan voting "nay".

CONSTRUCTION PROJECT REJECTED

Stephens State Forest, Lucas Co. - Storage Building

This project consists of the construction of an 80' x 40' pre-engineered pole-type storage building with crushed stone access road and maneuver area and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in REAP Open Spaces Funds. DNR estimate is \$100,000. Twenty-one sets of plans were requested. Three bids were received.

McCormick Construction, Inc.	Chariton, IA	\$91,262.00
Schoon Construction, Inc.	Cherokee, IA	\$135,433.90
Boyd Construction L.L.C.	Leon, IA	\$167,077.50

Staff recommends award of contract to McCormick Construction, Inc., low bidder.

Motion was made by Commissioner Marcantonio to approve the low bid of McCormick Construction, Inc. of Chariton, Iowa, in the amount of \$91,262.00 for storage building construction at Stephens State Forest in Lucas County. Seconded by Commissioner Duncan. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Brushy Creek State Park, Webster Co. - Seed Harvest Building

This project consists of the construction of a seed harvesting facility consisting of a 100' x 40' harvest building, an 80' x 40' cold storage building, a 20' x 32' greenhouse, granular paving, a septic system, and fencing and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted 50% in Wildlife Capitals 2005 and 50% Statewide Wildlife Grant Fund. DNR estimate is \$400,000. Twenty-nine sets of plans were requested. One bid was received.

Jensen Builders Ltd.

Boone, IA

\$788,078.72

Staff recommends rejecting the sole bid and rebid in early 2005 for more competition.

Motion was made by Commissioner Kramer to reject the sole bid and rebid the project later. Seconded by Commissioner Christiansen.

Discussion continued regarding the lack of competition and the use and location of seed harvest buildings. Mr. Brandrup reviewed the use of inmates at Brushy Creek and at the State Forest Nursery. The cooperation of the Department of Corrections with aspects of some of these types of programs was noted.

Motion to reject the sole bid carried unanimously.

CONSTRUCTION PROJECT REJECTED

Bids were opened November 22, 2004 for the following projects:

Dudgeon Lake WMA, Benton Co. - Lake Control Structures

This project consists of replacing two corrugated metal pipe water control structures and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in Fish and Wildlife Capitals. DNR estimate is \$24,000. Five sets of plans were requested. Two bids were received.

Weaver's, Inc.

Tipton, IA

\$26,245.00

Connolly Construction, Inc.

Peosta, IA

\$26,978.00

Staff recommends award of contract to Weaver's, Inc., low bidder.

Motion was made by Commissioner Marcantonio to approve the low bid of Weaver's, Inc. of Tipton, Iowa, in the amount of \$26,245.00 for lake control structures at Dudgeon Lake WMA in Benton County. Seconded by Commissioner Christiansen. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

Clear Lake State Park, Cerro Gordo Co. - Office & Service Building Utility Development

This project consists of water supply line and connection to city water main and wastewater force main, sewer line and pump and incidental work as required by the Plans and the DNR Construction Inspector. Project is budgeted in Restore the Outdoors Fund. DNR estimate is \$24,900. Four sets of plans were requested. One bid was received.

Haugen Contracting, Inc.

Forest City, IA

\$32,410.00

Staff recommends award of contract to Haugen Contracting, Inc., sole bidder.

Motion was made by Commissioner Christiansen to approve the bid of Haugen Contracting, Inc. of Forest City, Iowa, in the amount of \$32,410.00 for office and service building utility development at Clear Lake State Park in Cerro Gordo County. Seconded by Commissioner Kramer. Motion carried unanimously.

CONSTRUCTION PROJECT APPROVED

LAND ACQUISITION

Linda Hanson, Administrator, Management Services Division, presented the following item.

East Fork Des Moines River, Humboldt County—Victor Fisher

The Natural Resource Commission's approval is requested to purchase a tract of land located in north central Humboldt County. Victor Fisher offers this 60-acre tract for the appraised price of \$93,250. The seller will retain agricultural use of the cropland through December 31, 2005.

Robert Johnston, Licensed Appraiser of Ames, Iowa, submitted the appraisal. Rick Hansen negotiated the purchase agreement.

This property is located just east of the town of Livermore. The tract is entirely bottomland consisting of 25 acres of cropland and 35 acres of native timber. The East Fork of the Des Moines River forms the east boundary (2,900 feet), while Lott's Creek forms a portion of the south boundary of the tract. An earthen dike exists within the proposed acquisition and forms a portion of the south boundary. The seller will retain the right to make repairs to the dike, if necessary, at his own expense to protect his remaining cropland. The average Corn Suitability Rating of the property is 45. There are no building improvements. A paved county road along the south side provides good access.

This tract will provide excellent public access to the river for fishing, as well as wildlife habitat. The property will be developed, managed, and maintained by the Humboldt County Conservation Board through a 28E Management Agreement.

Acquisition funding will be provided by the Koch Pipeline spill fish restitution money through the Fish & Wildlife Trust Fund. The Department will pay for a land survey. No fencing costs are anticipated. Incidental closing costs will be the responsibility of the Department.

Motion was made by Commissioner Duncan to approve the purchase of 60 acres of land located in north central Humboldt County at East Fork Des Moines River from Victor Fisher for the appraised price of \$93,250. Seconded by Commissioner Sullivan. Motion carried unanimously.

LAND ACQUISITION APPROVED

Benton County—Rahn Donation

The Natural Resource Commission in its regular meeting on July 2, 1992 accepted Junior Rahn's offer to donate 80 acres of tillable land in Section 14, T86N, R12 West of the 5th P.M., Benton County, Iowa. The tract was conveyed to the DNR on October 30, 1992 with a reserved life use, and stipulation that upon his death, the Iowa DNR sell the land and use the proceeds to buy more suitable wildlife habitat in Benton or Black Hawk Counties. Mr. Rahn further stipulated that the replacement land be open to the public for hunting, fishing and other forms of outdoor recreation.

Jerry Gibson negotiated the donation agreement in 1992.

Junior Rahn died February 14, 2004. This tract of land has a high Corn Suitability Rating of 82.3, and it was Mr. Rahn's wish that the land remain in agriculture production. Mr. Rahn was an avid outdoorsman and wanted to see more land in Iowa available for outdoor recreation. He decided he could accomplish both objectives by donating the land to the Iowa DNR with the stipulation that the DNR sell the land upon his death and use the proceeds to purchase other land that would provide better wildlife habitat.

The Wildlife Bureau, in consultation with the Realty Services Section, decided that an auction of the land would bring a higher value than taking bids. Jamie Nabb, of Hertz Appraisal Services, appraised the tract prior to auction at \$3200 per acre, or \$256,000. The land was sold at public auction on August 27, 2004 for \$312,000, \$3900 per acre.

The Wildlife Bureau is actively seeking parcels of land to cost share for acquisition primarily in Benton County or Black Hawk County, as stipulated by Junior Rahn. The donation funds can be used to cost share with federal funding to further expand Junior Rahn's donation.

Linda Hanson explained that this item was for information purposes. She said a plan is being formulated to facilitate these types of donations. Staff is exploring being able to provide this information on the DNR web site.

INFORMATION ITEM

Lost Grove Lake/MidAmerican Energy Company, Scott County

This item was before the Natural Resource Commission in February 2004 and received NRC approval for compensation up to \$270,000. The removal of old towers and installation of new towers was completed in March 2004. Since that time, steel prices have increased dramatically; consequently, MidAmerican Energy is requesting compensation based on cost of approximately \$310,000. The Natural Resource Commission is requested to approve an additional \$40,000 in compensation to MidAmerican for a total of \$310,000. Funding will be from Marine Fuel Tax Fund.

NRC ITEM FROM FEBRUARY 2004:

The Natural Resource Commission's approval is requested for the estimated compensation to MidAmerican of up to \$270,000. Compensation estimates for these services are based on MidAmerican's costs with no additional markups. The estimate at this time is \$235,000.

Jerry Gibson negotiated this relocation agreement.

As part of the Department of Natural Resources' planned construction of Lost Grove Lake in Scott County, the DNR has requested MidAmerican relocate MidAmerican-owned and operated 345 kV electric facilities, which are presently located on the area designated on the attached map. MidAmerican is willing to relocate the electric lines in return for compensation set forth as follows:

The services to be provided by MidAmerican include construction of the relocated electric lines structures and removal of the indicated existing structures and foundations. Existing foundations shall be removed to elevation 705 mean sea level. New steel structures (#45, #48 and #49) will replace MidAmerican's three existing steel lattice towers. Construction is expected to be completed approximately seven days after commencement, weather permitting.

Funding for this compensation will be provided by 100% Marine Fuel Tax.

Linda Hanson reviewed aspects of this project and answered questions regarding the extra expense.

Motion was made by Commissioner Sullivan to approve funding an additional \$40,000 in compensation to MidAmerican for a total of \$310,000 for work by MidAmerican Energy Company at Lost Grove Lake in Scott County. Seconded by Commissioner Duncan. Motion carried unanimously..

PROJECT FUNDING APPROVED**Little Wapsipinicon River, Howard County—Hart Trust**

Linda Hanson, Administrator, Management Services Division, presented the following item.

The Natural Resource Commission's approval is requested for the purchase of a tract of land located in Howard County. This 80-acre tract is offered by the Dale M. Hart Revocable Trust and the Evelyn Hart Residuary Trust for the appraised price of \$115,382.

Donald L. Duskin, Licensed Appraiser, of Creston, Iowa submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The property is located approximately 0.5 mile east of Elma, and has excellent access on the northern boundary from County Road B-17. The property consists of 10 acres of timber, 12 acres-waste, 10 acres-pasture, and 48 acres of cropland. There are approximately 20 acres of existing or restorable wetlands. The Little Wapsipinicon River meanders through this tract of land.

Howard County Conservation Board is in the process of acquiring 80 acres adjacent to the east boundary, and 89 acres adjacent to the western boundary. The new area will total 249 acres.

The property will be managed for migratory waterfowl, upland game, non-game wildlife, and provide watershed protection for the Wapsipinicon. No fencing or surveying costs are anticipated.

Acquisition funding will be Upper Wapsi NAWCA. Incidental closing costs are the responsibility of the Department

Motion was made by Commissioner Schneider to approve the purchase of 80 acres of land located at Little Wapsipinicon River in Howard County from the Dale M. Hart Revocable Trust and the Evelyn Hart Residuary Trust for the appraised price of \$115,382. Seconded by Commissioner Duncan. Motion carried unanimously.

LAND ACQUISITION APPROVED

CONSERVATION AND RECREATION DONATIONS

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

The Natural Resource Commission is requested to approve the following donations:

Parks Bureau

Seedorf Masonry donated labor and material valued at \$6747.87 to rebuild the north entrance gate piers at Backbone State Park. The entrance portals were constructed in 1920 of native fieldstone and were in very poor condition. After securing clearance through the State Historic and Preserves Office, Seedorf Masonry tore the portals down, saved all the original fieldstones, and constructed new portals to the original dimension and appearance.

Eagle Scout Andy Thomes with Boy Scout Troop 30 constructed a picnic table shade shelter at the beach of McIntosh Woods State Park. He was able to get local organizations to donate the materials for the projects. The project is valued at approximately \$500.00.

The Solon Area Community Foundation donated \$3000.00 for trail repairs to the 5-mile multi-use trail at Lake Macbride State Park. The repairs involved adding a ditch and culverts along one portion which was badly eroding; in addition to resurfacing, grading and compacting this and other areas of the bike trail.

Motion was made by Commissioner Christiansen to accept the Conservation and Recreation donations. Seconded by Commissioner Sullivan. Motion carried unanimously.

DONATIONS APPROVED

BOAT DONATION—IOWA GREAT LAKES

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

The donation is a boat for boating enforcement in the Dickinson County lakes region.

The donation comes from the Iowa Great Lakes Water Safety Council, P.O. Box 232, Spirit Lake, Iowa 51360-0232 and a contact person for the council would be Phil Petersen, Board Member.

The Water Safety Council estimates the value of this donation at \$76,500. The boat will be titled to the DNR and they request that the boat remain for use in Dickinson County.

Mr. Brandrup related that earlier the department accepted the donation of use of a boat for use on the Iowa Great Lakes. However, the question of liability was a concern. Donation of the boat allows the department to have ownership, thus assuming responsibility of liability. Title restrictions stipulate that the boat is for use in Dickinson County.

Motion was made by Commissioner Schneider to approve the donation of a boat for boating enforcement in Dickinson County lakes region. Seconded by Commissioner Kramer. Motion carried unanimously.

DONATION APPROVED

TIMBER SALES

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

Shimek State Forest—Lick Creek Unit

The Forestry Bureau is conducting a timber sale involving approximately 5 acres involving 49 trees (9,900 board feet (Scribner) located on the Lick Creek Unit of the Shimek State Forest. The

trees are located approximately 2 miles east of Farmington, Iowa, T67N R7W Section 17 in Lee County. Trees are marked with blue paint.

The goal of the harvest is thin lower quality and declining walnut – leaving a more vigorous and higher quality walnut for the future. Artificial regeneration (tree planting) will be used in areas where needed.

Site review was conducted during the Spring and Summer of 2004 by DNR Wildlife Biologist/Botanist Mark J. Leoschke. No evidence of endangered or threatened species was noted nor was any archeological resources noted. Logging will be conducted only when the ground is dry or frozen to minimize the risk of soil disturbance. After harvest, tree tops will be cut to 4 foot height.

Sealed bids will be received until 1:00 p.m., Wednesday, December 1, 2004, at which time bids will be opened and the sale awarded to the highest bidder, except that the seller reserves the right to reject any or all bids. Staff recommendations on winning bid will be presented to the Commission for information on December 9, 2004.

The successful bidder must execute a timber sale contract with the State of Iowa by January 3, 2005, and make payment at that time also (which is expected to be less than \$25,000). Trees must be removed by March 31st, 2006. Liability insurance is required. Buyers must be bonded.

Bid results opened on 12-1-04:

Volrath Hardwoods of Princeton, IA	\$15,842
Walters Logging of Galena, IL	\$15,840
Burrs Lumber of Granger, MO	\$14,580
SITCO of LaMotte, IA	\$14,261

The bid submitted by Volrath Hardwoods in the amount of \$15,842 will be accepted. Because the sale is under \$25,000, commission approval is not required.

INFORMATION ITEM

Shimek State Forest – Keosauqua Unit

For Natural Resources Commission information/decision the Forestry Bureau is conducting a timber sale involving approximately 10 acres involving 388 trees (70,254 board feet (Scribner) located on the Keosauqua Unit of the Shimek State Forest. The trees are located approximately 2 miles south and a 3.5 miles west of Keosauqua, Iowa, T96N R3W Section 3 in Van Buren County. Trees are marked with blue paint.

The goal of the harvest is to regenerate these sites using natural regeneration. Artificial regeneration (tree planting) will be used in areas where needed. This harvest involves approximately 10 acres. The oak is starting to decline, and many are dying (oak wilt and storm

damage). There is well-established oak regeneration in the understory that will develop into the next generation central hardwood forest.

Site review was conducted during the Spring and Summer of 2004 by DNR Wildlife Biologist/Botanist Mark J. Leoschke. No evidence of endangered or threatened species was noted nor was any archeological resources noted. Logging will be conducted only when the ground is dry or frozen to minimize the risk of soil disturbance. Several large trees were preserved on the harvest areas for wildlife den or roosting trees or aesthetic value.

Sealed bids will be received until 1:00 p.m., Wednesday, December 1, 2004, at which time bids will be opened and the sale awarded to the highest bidder, except that the seller reserves the right to reject any or all bids. Staff recommendations on winning bid will be presented to the Commission for information on December 9, 2004.

The successful bidder must execute a timber sale contract with the State of Iowa by December 31, 2004, and make payment at that time also (which is expected to be less than \$25,000). Trees must be removed by March 1st, 2006. Liability insurance is required. Buyers must be bonded.

<u>Species</u>	<u># trees</u>	<u>board feet</u>
White oak	186	33,426
Red oak	129	29,304
Hickory	24	2,610
Ash	15	1,656
Cottonwood	3	1,656
Basswood	4	504
Elm	3	360
Hackberry	1	198
Black locust	2	180
Black cherry	1	180
River Birch	1	90
Red Cedar	1	90
Culls	18	0
Total	388	70,254

Bids received:

Burrs Lumber of Granger, MO	\$30,600
Langenbach Wood Products of Fort Madison, IA	\$25,862
Hammes Bros. Sawmill of Ollie, IA	\$23,258

Staff recommends the bid by Burrs Lumber in the amount of \$30,600 be accepted.

Motion was made by Commissioner Sullivan to accept the high bid of Burrs Lumber of Granger, MO in the amount of \$30,600.00 for timber sale at Shimek State Forest, Keosauqua Unit. Seconded by Commission Duncan. Motion carried unanimously.

TIMBER SALE APPROVED

Timber Sale Item 8c was removed from the agenda.

Loess Hills State Forest—Rice Tract Timber Sale

For Natural Resources Commission information/decision the Forestry Bureau is conducting a timber sale involving 81 trees marked with blue paint containing approximately 6480 board feet Scribner (more or less). Trees are marked with blue paint. The trees are located on the Preparation Canyon Unit, Section 24 of Sioux Township (T82N, R44W) in Monona County.

The stand consists of 12-24 inch diameter walnut, elm, and hackberry with an understory of pole of mainly pole size elm. The stand is generally lower quality and contains a few oaks as a component. The slope is northerly facing valley at less than 15%. The stand was grazed prior to recent state ownership. Pre-harvest inspection of the site was conducted by John Pearson, IDNR State Ecologist and found no endangered and threaten species considerations.

The goals of the harvest as part of the Loess Hills State Forest management plan are to create a small opening to regenerate walnut, red and bur oak and to thin around larger walnut to increase their growth rates and quality. Small groups of generally lower quality walnut and elm will be commercially harvested. Within the groups, the smaller elm, boxelder and hackberry will then be cut and subsequently bur oak, red oak and walnut seedlings planted. The addition of oak will increase species diversity and improve wildlife habitat. Between the groups, some additional harvest of lower quality walnut and elm will be harvested to release the better walnut for improved growth rates.

Sealed bids will be received until 1:00 p.m., Friday, December 3, 2004, at which time bids will be opened and the sale awarded to the highest bidder, except that the seller reserves the right to reject any or all bids. Staff recommendations on winning bid will be presented to the Commission for information on December 9, 2004.

The successful bidder must execute a timber sale contract with the State of Iowa by December 31, 2004, and make payment at that time also (which is expected to be less than \$25,000). Trees must be removed by March 1st, 2006. Liability insurance is required. Buyers must be bonded.

Species	# of trees	board feet
Walnut	44	3,900
Elm	25	1,800
Hackberry	6	440
Basswood	1	80
Bitternut Hickory	2	100
Ash	1	60
Bur Oak	2	100
Total Area #1	81	6,480

Bid results opened on 12-8-04:

John Reed Logging of Woolstock, IA	\$4160.00
Siouxland Timber of Rogers, NE	\$3470.00

The bid of John Reed Logging in the amount of \$4,160.00 will be accepted. The bids are under \$25,000 and do not require commission approval.

INFORMATION ITEM

Mr. Brandrup explained that Item 8c was removed from the agenda in order to allow time to work out an access issue with the property. The item will be brought back to the commission at a later date.

EAST FORK, GRAND RIVER SUPPLEMENTAL PLAN (GOOSEBERRY LAKE)

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

Approval is requested for the Department of Natural Resources to approve and authorize the Director to sign the Supplemental Watershed Plan and Environmental Assessment for the East Fork of The Grand River Watershed. This plan has already been approved and signed by the thirteen (13) other watershed sponsors. This supplemental plan was required when the Gooseberry Lake (Ringgold County) permanent pool was increased from 350 surface acres to 565 surface acres. The increase in size is to meet additional other agricultural water management and recreation needs. This proposed high quality lake will provide water supply, recreation and flood control benefits. The Department has initially committed to providing funds for items such as boat ramps, roads, fishing jetties, a silt dike/wetland and shoreline riprapping. Dam design should be completed in 2005, with land acquisition by local sponsors initiating during 2005. Actual lake construction is at least three (3) to five (5) years in the future.

We recommend that the Department approve and sign the Supplemental Watershed Plan and Environmental Assessment for the East Fork of The Grand River Watershed.

Mr. Brandrup introduced Dave Beck, from the Natural Resource Conservation Service. Mr. Beck briefly reviewed aspects of the East Fork Watershed Project. He said that there are 14 project sponsors and all other sponsors have signed the supplemental plan. Discussion continued with regard to the cost of the project and DNR's commitment for providing funds for boat ramps, roads, fishing jetties, wetland and shoreline work.

<i>Motion was made by Commissioner Sullivan to approve and authorize the Director to sign the Supplemental Watershed Plan and Environmental Assessment for the East Fork of the Grand River Watershed. Seconded by Commissioner Duncan.</i>

Commissioner Sullivan expressed appreciation to the Natural Resource Conservation Service for their support and assistance on these types of projects that provide many benefits and opportunities for multiple types of public use.

<i>Motion carried unanimously.</i>

SUPPLEMENTAL PLAN APPROVED

APPEAL OF PROPOSED DECISION – DAVID J. VROMAN (TABLED)

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

On April 1, 2004, the Department issued a letter notifying David J. Vroman of the intent to revoke and suspend his hunting licenses for a period of two years due to convictions for three counts of violation of Iowa's restrictions on dual residency. Mr. Vroman appealed and the matter was presented to Administrative Law Judge Paul McIntyre. On September 15, 2004, Judge McIntyre issued a Decision upholding the Department's suspension and revocation of the hunting licenses of David J. Vroman for a period of two years.

Mr. Vroman is now appealing this Decision to the Commission. The Commission may uphold the Decision of the Administrative Law Judge, reverse the Decision, or modify the Decision in accordance with the applicable statutes.

Note: The minutes were corrected at the beginning of the meeting to indicate that the motion to suspend Mr. Vroman's license for one year only passed on a 4-2 vote. No further action taken on this item.

MEETING DATES AND LOCATIONS FOR 2005

Listed below are the dates for the NRC meetings for 2005. The meetings are scheduled for the second Thursday of the month. Generally there is no regular meeting in January or July, but a telephone meeting may be held if necessary. There will be a tour on the Wednesday afternoon of the day before the meeting when the meeting is held outside of Des Moines.

January 19	-	Legislative Breakfast (Possible EPC/NRC Joint Planning Mtg.)
February 10	-	Des Moines
March 10	-	Des Moines
April 14	-	Union County
May 12	-	Storm Lake
June 9	-	Des Moines
July	-	No Meeting
August 11	-	Clear Lake Area
September 8	-	Brushy Creek Area
October 13	-	NE Iowa
November 10	-	Des Moines
December 8	-	Des Moines

It was announced that the annual legislative breakfast will be the morning of January 19. A joint EPC/NRC planning session is planned following the breakfast. Plans are being made to hold a workshop for commissioners in June.

The April meeting will be considered for Union County at the Three Mile Lake Lodge.

Motion was made by Commissioner Schneider to approve the NRC meeting locations and dates for 2005. Seconded by Commissioner Duncan. Motion carried unanimously.

MEETING DATES AND LOCATION APPROVED

DUCKS UNLIMITED/DNR COOPERATIVE AGREEMENT

Michael Brandrup, Administrator, Conservation and Recreation Division, presented the following item.

The Commission is asked to approve a cooperative agreement between the state of Iowa, Department of Natural Resources and Ducks Unlimited, Inc. This agreement is for cost-share funding in support of Prairie Habitat Joint Venture activities in Saskatchewan, Canada.

AGREEMENT

WHEREAS, this Agreement is made and entered into this Ninth day of December, 2004, by and between the state of Iowa, Department of Natural Resources (hereinafter referred to as “the Department”), and Ducks Unlimited, Inc., a nonprofit membership organization incorporated under the laws of the District of Columbia (hereinafter referred to as “DU”), and

WHEREAS, the Department is acting under the authority of the Code of Iowa, Chapter 110B, in entering into this Agreement, and

WHEREAS, DU is dedicated to the increase and production of waterfowl in Canada by the development, preservation, restoration, construction, maintenance and repair of projects to provide the most advantageous habitat for reproduction, and

WHEREAS, they are developing a number of such projects in the Province of Saskatchewan, Canada, and

WHEREAS, the necessary assurances have been obtained as set forth in Section 110B.5 of the Code of Iowa, and

WHEREAS, the Department finds it necessary to enter into this Agreement in order to carry out the purpose of said Chapter 110B, and

WHEREAS, the projected receipts from the sale of state migratory waterfowl stamps in 2004 are estimated at Two Hundred Ninety-Two Thousand, Two Hundred and Sixty Dollars (\$292,260.00) and the 2003 estimate was Three Thousand, Eight Hundred and Forty-One Dollars (\$3,841.00) lower than actual sales, the contribution for 2004 will be Forty-Four Thousand, Four Hundred and Sixteen Dollars (\$44,416.00).

NOW THEREFORE, be it agreed that:

1. DU will furnish the Department a detailed report and plan for the expenditure of the state's contribution.
2. The entire state contribution will be used for development of the Rokeby project (hereinafter referred to as “Project”) and no funds will be used for office, overhead or other expenses.

3. The Department will pay DU, the sum of Forty-Four Thousand, Four Hundred and Sixteen Dollars (\$44,416.00) for this project.
4. This Agreement becomes null and void and DU will refund the entire Forty-Four Thousand, Four Hundred and Sixteen Dollars (\$44,416.00) if any funds are used contrary to this Agreement.

IN WITNESS THEREOF, this Agreement is executed and witnessed by authorized representatives of the Iowa Department of Natural Resources and Ducks Unlimited, Inc.

Witnessed by: DEPARTMENT OF NATURAL RESOURCES

BY: _____
TITLE: _____

Witnessed by: DUCKS UNLIMITED, INC.

BY: _____
TITLE: _____

Motion was made by Commissioner Duncan to approve a cooperative agreement between the state of Iowa, Department of Natural Resources and Ducks Unlimited, Inc. for cost-share funding in support of Prairie Habitat Joint Venture activities in Saskatchewan, Canada. Seconded by Commissioner Schneider.

Commissioner Marcantonio asked if a status report on the project and an audit on the expenses had been received by the department. That information will be presented at the next meeting.

Motion carried unanimously.

AGREEMENT APPROVED

PROJECT AWARE UPDATE

Merry Rankin and Brian Soenen presented the following item.

The second annual Project AWARE (A Watershed Awareness and River Expedition) was held June 19-26, 2004 (<http://www.iowadnr.com/volunteer/aware/04aware.html>). This presentation will provide an update on the accomplishments of this initiative in its second year.

Among the most notable achievements was assisting local natural resource enhancement projects within the Des Moines River Watershed such as native prairie clearing, trail enhancement, and state park facility maintenance, in addition to waterway cleanup. With specific focus on recycling collected materials we were able to achieve a recycling rate of over 95%. A Project AWARE event requires the coordination and partnership with many organizations and DNR employees.

PROJECT BACKGROUND:

Project AWARE came about as a way to offer a group of volunteers the opportunity to be involved, via canoes and kayaks, in a week-long, highly visible, impactful, and intensive river clean-up, and water quality monitoring event. It is prompted by the Department's IOWATER Program, whose mission is to empower Iowa's citizens to monitor water quality across the state. IOWATER works in partnership with the Department's Keepers of the Land Volunteer Program that strives to bring Iowans closer to their natural environment through volunteer experiences.

The following objectives have guided Project AWARE's planning and implementation:

- Increase awareness about water quality issues that threaten the health of Iowa's water resources, and promote advocacy and action towards their improvement and protection.
- Involve Iowa's citizen volunteers in an action project that produces a tangible, quantitative result (numbers of citizens involved and quantity of trash removed, recycled, reused, or properly disposed of).
- Emphasize the importance of partnerships by involving anyone and everyone who wants to be involved, including local, county, state, and federal agencies, businesses, and human-interest groups.
- Show the state of Iowa that its citizens are serious, concerned, and willing to make a difference - one stretch of river, one piece of trash at a time.

Project AWARE focuses on primary state waterways that are considered impaired with regard to water quality and overall health and integrity. This, as well as the intention of Project AWARE to provide tangible results to the entire state, is reflected through the event's mobile-minded implementation.

In 2003, Project AWARE focused on 112 miles of the Maquoketa River in eastern Iowa - - stretching from Backbone State Park to the Mississippi River near Green Island. This year's event targeted 107 miles of Des Moines River Watershed and central Iowa - - reviving an area reaching from F.A. Gotch State Park to Prospect Park in the heart of Des Moines. Project AWARE 2005 is scheduled for June 18-25 on the Little Sioux River in western Iowa.

INFORMATION ITEM

SPRINGBROOK YOUTH DEER HUNT UPDATE

A. Jay Winter and Al Foster presented the following item.

The deer herd within the Springbrook Park/Conservation Education Center complex has reached a level where it can be reduced. Rather than doing a special hunt aimed only at reducing the herd, we made the decision this year to match the opportunity of a healthy deer herd with the assets of the Education Center in creating a very unique experience for fledgling hunters.

On Nov. 19-21, the DNR sponsored a special youth deer training seminar for youth 12-15 who have never had the opportunity to harvest a deer. We had 19 participants of which 11

successfully harvested deer. The program included classroom instruction and field instruction before each participant and a responsible adult “mentor” participated in a carefully coordinated hunt.

The event was highly successful and has resulted in a number of very positive comments from participants. The event not only provided young people and adults with an opportunity for a successful hunt, but also exposed them to a very positive experience with DNR staff and the Springbrook Park and Conservation Education Center’s facilities.

INFORMATION ITEM

GENERAL DISCUSSION

Commissioner Marcantonio commented that if the Law Enforcement Bureau discusses the Vroman case, they should take a look at DNR’s procedures and processes to make sure that all are carried out properly.

Commissioner Francisco asked if Monona County had made any progress with regard to the Lewis and Clark State Park Visitor’s Center. Mr. Brandrup said that the county is still in the process of passing a bond and work continues on this issue.

Director Vonk introduced Ed Tormey as the Chief Legal Counsel for the department. Mr. Tormey replaces Mike Murphy who retired earlier this year.

NEXT MEETING DATES

The next meeting will be held February 12 in Des Moines.

ADJOURNMENT

<i>Motion was made by Commissioner Schneider to adjourn the December 9, 2004 NRC meeting. Seconded by Commissioner Sullivan. Meeting adjourned at 11:40 a.m.</i>
--

Jeffrey R. Vonk, Director

Richard Kim Francisco, Chairperson

Joan Schneider, Secretary

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